United Nations S/2003/36

Security Council

Distr.: General
10 January 2003
English
Original: Arabic

Letter dated 9 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to inform you that the Government of Lebanon requests the Security Council to extend the mandate of the United Nations Interim Force in Lebanon (UNIFIL), which will end on 31 January 2003, for an additional interim period of six months, in accordance with the provisions of Security Council resolutions 425 (1978) and 426 (1978) of 19 March 1978. The Lebanese Government is requesting this in view of the fact that the continued presence of the Force is still necessary if it is desired that the mandate trusted to it be discharged. This accords with your apposite conclusions set forth in your reports to the Security Council that a large portion of the Force's mandate has not yet been fulfilled, particularly with regard to "restoring international peace and security" in the region. This request has become the more urgent in the light of Israel's daily serious violations and provocations, by land, sea and air, which constitute ongoing aggression against Lebanese sovereignty and a flagrant violation of Security Council resolution 425 (1978).

In this context, Lebanon affirms the necessity of maintaining UNIFIL, in accordance with Security Council resolutions 425 (1978) and 426 (1978), particularly in the light of the situation prevailing in the region, which has deteriorated and become extremely critical. The maintenance of UNIFIL's mandate would also prove the international community's commitment to restoring Lebanon's sovereignty over all its territory, as provided in resolutions 425 (1978) and 426 (1978), and would affirm the strong support given by the Security Council in successive resolutions for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries.

Lebanon commends the ongoing contribution of UNIFIL to the demining process and the efforts made by the donor countries in this regard. Lebanon calls upon the Security Council to put pressure on Israel to produce the maps and additional documents relating to the locations of mines left by the Israeli occupation of Lebanese territory, inasmuch as it has become clear to the United Nations that more still remain. These mines are still causing death and injury to Lebanese civilians, curbing their freedom of activity and movement and impeding the freedom and movement of UNIFIL, and they constitute a threat to the lives of the people working in the Force and in the demining programme. Lebanon also calls upon the Security Council to ensure the release of Lebanese detained illegally

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and for many years in Lebanese prisons, in blatant defiance of the 1949 Geneva Conventions and the two Additional Protocols thereto.

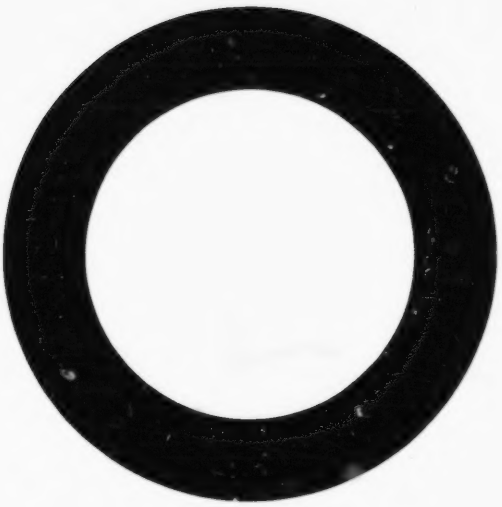
Lebanon reaffirms its commitment to the peace process in the Middle East, with the aim of achieving a comprehensive and just peace in the region, on the basis of United Nations resolutions and the Madrid Conference precedent and in accordance with the integrated Arab peace initiative which was approved unanimously at the Beirut Summit on 28 March 2002 and was rejected by Israel, which proceeded to invade the West Bank.

I avail myself of this opportunity to commend, on behalf of the Lebanese Government, the efforts being made by the leadership and personnel of UNIFIL and the efforts and sacrifices being made by the participating countries in implementation of its mandate.

In addition, the Government of Lebanon conveys to you its appreciation for your untiring efforts in supporting the role of UNIFIL in southern Lebanon.

I request that this letter be circulated as a document of the Security Council.

(*Signed*) Houssam Asaad **Diab**
Chargé d'affaires a.i.



United Nations S/2003/36*

Security Council

Distr.: General
13 January 2003
English
Original: Arabic

Letter dated 9 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to inform you that the Government of Lebanon requests the Security Council to extend the mandate of the United Nations Interim Force in Lebanon (UNIFIL), which will end on 31 January 2003, for an additional interim period of six months, in accordance with the provisions of Security Council resolutions 425 (1978) and 426 (1978) of 19 March 1978. The Lebanese Government is requesting this in view of the fact that the continued presence of the Force is still necessary if it is desired that the mandate trusted to it be discharged. This accords with your apposite conclusions set forth in your reports to the Security Council that a large portion of the Force's mandate has not yet been fulfilled, particularly with regard to "restoring international peace and security" in the region. This request has become the more urgent in the light of Israel's daily serious violations and provocations, by land, sea and air, which constitute ongoing aggression against Lebanese sovereignty and a flagrant violation of Security Council resolution 425 (1978).

In this context, Lebanon affirms the necessity of maintaining UNIFIL, in accordance with Security Council resolutions 425 (1978) and 426 (1978), particularly in the light of the situation prevailing in the region, which has deteriorated and become extremely critical. The maintenance of UNIFIL's mandate would also prove the international community's commitment to restoring Lebanon's sovereignty over all its territory, as provided in resolutions 425 (1978) and 426 (1978), and would affirm the strong support given by the Security Council in successive resolutions for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries.

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* Reissued for technical reasons.

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calls upon the Security Council to ensure the release of Lebanese detained illegally and for many years in Israeli prisons, in blatant defiance of the 1949 Geneva Conventions and the two Additional Protocols thereto.

Lebanon reaffirms its commitment to the peace process in the Middle East, with the aim of achieving a comprehensive and just peace in the region, on the basis of United Nations resolutions and the Madrid Conference precedent and in accordance with the integrated Arab peace initiative which was approved unanimously at the Beirut Summit on 28 March 2002 and was rejected by Israel, which proceeded to invade the West Bank.

I avail myself of this opportunity to commend, on behalf of the Lebanese Government, the efforts being made by the leadership and personnel of UNIFIL and the efforts and sacrifices being made by the participating countries in implementation of its mandate.

In addition, the Government of Lebanon conveys to you its appreciation for your untiring efforts in supporting the role of UNIFIL in southern Lebanon.

I request that this letter be circulated as a document of the Security Council.

(*Signed*) Houssam Asaad **Diab**
Chargé d'affaires a.i.

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13 January 2003
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Identical letters dated 9 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith the daily report for 9 January 2003 on the activities of the inspection teams of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA) in Iraq (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed S. **Ali**
Chargé d'affaires a.i.

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Annex to the identical letters dated 9 January 2003 from the Chargé d'affaires a.i. of the Permanent Mission of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

Report on the activities of the IAEA and UNMOVIC inspection teams in Iraq

Inspection activities on 9 January 2003

I. IAEA inspection team

A team consisting of five inspectors left the Canal Hotel in Baghdad at 0835 hours. At 0955 hours it arrived at the Qadisiyah State Enterprise for Electrical Equipment in Diyala governorate. The team met with the general manager of the company and asked him about the body under which the company operated, the number of people employed there, its fields of expertise, its budget, its organization chart, its departments and the factory operated under its auspices, its nominal electrical capacity, its current consumption, its procedures for the acquisition of raw materials, the reason for its use of argon and oxygen, the types of electrical motors which it produced and used and the capacities of its various electrical transformers. The team asked whether the company had a research and development centre, whether it manufactured induction coils, whether its plant or equipment had been expanded and whether its activities had changed since 1998. The team also asked about the new fibre optic factory and inquired when it would be operational, what the names of its foreign suppliers were and whether materials for experimental trials had been received. The team inspected the purchasing department and verified the contracts for the provision of raw materials and semi-finished items which had been signed under the memorandum of understanding and other agreements and the procedures for importing such materials. It also inspected the factories which produce argon and oxygen, ceiling fans, electrometers, spark plugs and fibre optics and observed them in action. It took radiation readings on all the company's roads and paths. Lastly, it inspected the company's two power plants and measured the quantity of electrical energy being used at the time of inspection. The team completed its assignment at 1305 hours and arrived back at the Canal Hotel in Baghdad at 1350 hours.

II. UNMOVIC missile inspection team

1. A group consisting of 14 inspectors left the Canal Hotel at 0830 hours and arrived at the Milad State Enterprise at 0905 hours. It then split into four subgroups. The main subgroup met with one of the specialists responsible for the Fath missile guidance and control system and asked him about the system and its nature, components, principle of operation, options, existing components, scheduled tests, precision and future objectives. The three other subgroups inspected all on-site installations and observed the gyroscope testing departments. The group completed its assignment at 1250 hours and arrived back at the Canal Hotel in Baghdad at 1320 hours.

2. A second group, consisting of two inspectors, left the Canal Hotel at 0835 hours. At 0920 hours it arrived at the Harith State Enterprise, an affiliate of the Military Industrialization Corporation (MIC) located 35 km north of Baghdad. The group replaced the old tags by new ones on nine SA2 missiles. It completed its assignment at 1120 hours and arrived back at the Canal Hotel in Baghdad at 1210 hours.

3. A third group, consisting of four inspectors, left the Canal Hotel at 0645 hours. At 0805 hours it arrived at the Rifah site belonging to the Karamah State Enterprise, an MIC affiliate located at Amiriyah/Fallujah, 70 km west of Baghdad. The group observed preparations for the test of the Sumud engine, which operates on liquid fuel, but a technical failure in one of the auxiliary engines prior to the test caused it to be postponed until the afternoon. The group completed its assignment at 1010 hours and arrived back at the Canal Hotel in Baghdad at 1145 hours. It left the Canal Hotel again at 1425 hours and arrived at the Rifah site at 1545 hours. It completed its assignment at 1650 hours and arrived back at the Canal Hotel in Baghdad at 1820 hours.

III. UNMOVIC biological inspection team

A team consisting of 12 inspectors left the Canal Hotel in Baghdad at 0845 hours. At 0915 hours it arrived at the veterinary testing laboratory, an affiliate of the State Enterprise for Veterinary Medicine located in Shaykh Omar, Baghdad. The team met with the director of the laboratory and the representative for liaison with the National Monitoring Directorate and asked them about the laboratory's activities, component units and ongoing research, the animals used there for testing purposes, cooperation between the laboratory and the Ta'un Bovine Testing Laboratory, diseases diagnosed by chemical means, methods for diagnosing viruses, types of parasites, the official entity in charge of the laboratory and the official entity which provided it with diagnostic equipment. It asked whether the laboratory's activities included anthrax diagnosis and inspected the tagged apparatus. The team completed its assignment at 1045 hours and arrived back at the Canal Hotel at 1100 hours.

IV. UNMOVIC chemical inspection team

1. A group consisting of eight inspectors left the Canal Hotel in Baghdad at 0845 hours. At 0915 hours it arrived at the Rayah State Enterprise, an MIC affiliate which had already been visited by the inspection teams on 21 December 2002. Once inside, the group split into two subgroups; the first subgroup conducted an inspection tour of the company's entire premises with the exception of the administration building and asked about the work of the prospecting unit in the additives division. Meanwhile, the second subgroup met with the assistant to the general manager of the company and asked him about the company's activities, objectives, fields of specialization, structure, number of employees, number of employees with advanced degrees, supervisory body, supply sources, future plans, cooperation with universities, and the end-users of its research. The group completed its assignment at 1315 hours and arrived back at the Canal Hotel at 1345 hours.

2. A second group, consisting of 15 inspectors, left the Canal Hotel in Baghdad at 0800 hours. At 1030 hours it arrived at the Northern Refineries/Small Refineries Company at Siniyah in Salah al-Din governorate. Upon arrival, the group met with

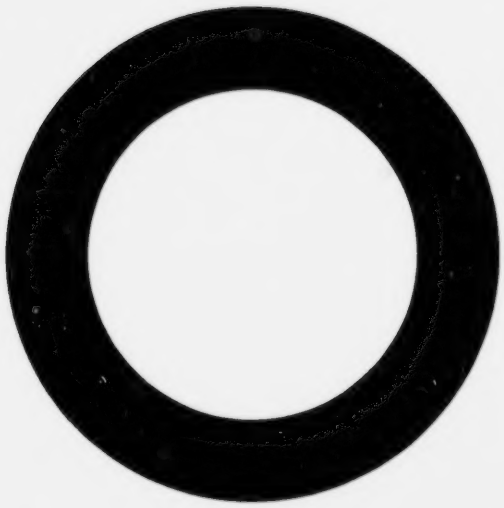
the refineries' manager and specialists and asked about the refineries' activities, the sources of the materials used in their operation and their equipment and production capacity. It then inspected the refineries and learned about their design, materials involved in their production processes and their end-products. The group completed its assignment at 1430 hours and arrived back at the Canal Hotel at 1730 hours.

V. UNMOVIC multidisciplinary (chemical, biological and missile) inspection team

A team of six inspectors left the Nineveh Palace Hotel at 0900 hours. At 0915 it arrived at the public health laboratory, an affiliate of the Ninawa Health Department. The team met with the director of the laboratory and asked about the liaison body and the services which it provided to the laboratory and about the type of medical examinations and food inspections conducted. It asked whether the laboratory contained imported or local substances and what body provided its services. It asked about the humanitarian needs assessments and whether the laboratory cooperated with the Central Health Laboratory in Baghdad. It also asked about the origin of substances, equipment and growth media. Lastly, it inspected the laboratory's entire premises. The team completed its assignment at 0955 hours and arrived back at the Nineveh Palace Hotel at 1015 hours.

VI. Remarks

The UNMOVIC and IAEA inspection teams inspected eight sites on this day with 66 inspectors taking part in these visits.



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Security Council

Distr.: General
14 January 2003

Original: English

Report of the Secretary-General on the United Nations Interim Force in Lebanon

(for the period from 13 July 2002 to 14 January 2003)

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1428 (2002) of 30 July 2002, by which the Council extended the mandate of the United Nations Interim Force in Lebanon (UNIFIL) for a further period of six months, until 31 January 2003. It covers developments since my previous report, dated 12 July 2002 (S/2002/746).

II. Situation in the area of operation

2. Since my last report, the situation in the UNIFIL area of operation has returned to one of general stability, with some sites of tension. There was one violent incident in the Shab'a farms area and an attack across the Blue Line on an Israel Defence Forces (IDF) patrol in the western sector. Minor ground violations of the line were few in number, with those from the Lebanese side primarily attributable to crossings by shepherds and occasional vehicles, and with only one ground violation recorded from the Israeli side.

3. There were sporadic Israeli violations of Lebanese airspace, with periodic lulls in such activity punctuated by abrupt increases over periods of several days. On two occasions in November, Israeli overflights exceeded any recorded number since Israel's withdrawal from southern Lebanon in May 2000. Many of these air violations penetrated deep into Lebanon, often generating sonic booms over populated areas. The pattern identified in my last report continued, whereby the aircraft would fly out to sea and enter Lebanese airspace north of the UNIFIL area of operation, thus avoiding direct observation and verification by UNIFIL.

4. Hizbollah continued to react to the overflights with anti-aircraft fire and, on at least one occasion, the Lebanese army also fired in the direction of the Israeli aircraft. There were several instances of shrapnel from Hizbollah anti-aircraft fire falling on the Israeli side of the border and causing minor damage to civilian structures. United Nations officials have continued to stress to the parties that Israeli

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violations of Lebanese airspace and Hizbollah anti-aircraft fire have the potential to aggravate tensions.

5. One grave breach of the ceasefire took place in the Shab'a farms area during the reporting period. On 29 August, Hizbollah fired 123 mortar rounds and one anti-aircraft missile at two IDF positions on the Blue Line south-east of Kafr Shuba. The IDF retaliated with artillery and mortar fire and one aerial bomb to the Lebanese side of the line in the same vicinity. As a result of the Hizbollah attack, three Israeli soldiers were wounded and one later died of his injuries.

6. In a separate grave breach, on 8 December, a roadside bomb was detonated a few metres from the Israeli technical fence east of Marwahin, on the Lebanese side of the line. Directed at an IDF patrol, it injured two soldiers, one seriously. An unknown militant group claimed responsibility, as retaliation for a 6 December roadside bombing in southern Lebanon which killed a notorious Lebanese national.

7. Demonstrators on the Lebanese side of the Blue Line gathered periodically at the points of friction identified in my previous reports, Sheikh Abbad Hill east of Hula and Fatima gate west of Metulla, to throw stones and other objects at Israeli personnel across the line. There were, in addition, five separate attempted illegal border crossings from Lebanon to Israel, by two Lebanese citizens, one Palestinian refugee and two foreign nationals. These persons were handed over by the Israeli authorities through UNIFIL to the Lebanese authorities.

8. The Lebanese Joint Security Forces, comprised of army and internal security forces, and the Lebanese Army continued to operate in the areas vacated by Israel. They established new positions and took control of several positions vacated by UNIFIL, set up checkpoints and augmented patrols close to the Blue Line. On the whole, the Lebanese armed forces were more active, intervening at their own initiative when there were threats to security in the area. In most instances, the Lebanese authorities responded to UNIFIL protests by taking prompt action to correct violations.

9. Nevertheless, the Government of Lebanon continued to maintain the position that so long as there is no comprehensive peace with Israel, the Lebanese armed forces will not be deployed along the Blue Line. Hizbollah continued to maintain a visible presence near the line through its network of mobile and fixed positions. There were some improvements and new construction of field fortifications by Hizbollah. Hizbollah also continued to extend social, medical and educational services to the local population in areas near the Blue Line.

10. On a few occasions, Hizbollah denied UNIFIL patrols access to some areas adjacent to the Blue Line. The Lebanese authorities generally intervened to enable UNIFIL to carry out its mandated tasks. While the number and severity of such incidents was substantially less than in the previous reporting period, the Government of Lebanon should make every effort to ensure that there is no interference by any party with the freedom of movement of UNIFIL.

11. The United Nations continued to coordinate international assistance to the Government of Lebanon for mine action in southern Lebanon through my Personal Representative and in collaboration with the United Nations Development Programme (UNDP). There was significant progress in the implementation of the Operation Emirates Solidarity project, funded by the United Arab Emirates, resulting in the clearance of almost two and a half million square metres of land.

The Lebanese Army engineer regiment deployed teams to clear areas along the Blue Line in the vicinity of Markabe. The Mine Action Coordination Centre in Tyre facilitated the partnership of the United Nations, the United Arab Emirates and the National Demining Office of the Lebanese Armed Forces. Resource support for the national mine action effort was provided by the Governments of Australia, China, France, Germany, Greece, Italy, Japan, Norway, the Republic of Korea, the Russian Federation, Spain Sweden, Switzerland, the Syrian Arab Republic, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America as well as by the European Union. It is hoped that the "trees instead of mines" initiative will receive additional support.

12. The presence of a large number of minefields throughout the UNIFIL area of operation remained a matter of utmost concern. A number of civilian casualties due to mine incidents were recorded. Since July, one civilian was injured as a result of exploding mines and ordnance, while 10 members of the commercial demining personnel were injured during mine-clearing operations. During the reporting period, UNIFIL continued marking and fencing known minefields and demolished upwards of 105 mines and rounds of unexploded ordnance.

13. UNIFIL continued to assist the civilian population in the form of medical and dental care, water projects, equipment or services for schools and orphanages, and supplies of social services to the needy, albeit at a reduced rate due to the downsizing of the Force. Veterinary assistance was provided to some villages. UNIFIL assistance was provided from resources primarily made available by troop-contributing countries. UNIFIL cooperated closely on humanitarian matters with the Lebanese authorities, United Nations agencies, in particular the Economic and Social Commission for Western Asia (ESCWA), the International Committee of the Red Cross and other organizations and agencies operating in Lebanon.

14. Substantial tension developed between Lebanon and Israel over a water project initiated by the Council of the South at the Wazzani Springs on the Hasbani River, located north of the Blue Line west of Ghajar. The dispute reached a peak in September, when it appeared that bellicose rhetoric could lead to military confrontation. Intensive diplomatic activity undertaken with the parties by concerned Member States and by the Special Coordinator for the Middle East Peace Process, Mr. Terje-Roed Larsen, and my Personal Representative for southern Lebanon, Mr. Staffan de Mistura, averted a crisis. The United Nations is cooperating closely with the United States and the European Union to assist the parties in reaching a mutual arrangement for managing the water issue through diplomatic channels on a continuing basis.

15. Local administration in the south was further strengthened during the reporting period, as a result of the increasing capacity of the official self-governing structures in the south to exercise their authority over the area. Communications, infrastructure, health and welfare systems as well as postal services continued their slow progress towards integration with the rest of the country.

16. My Personal Representative continued to work in close collaboration with UNDP and the World Bank to facilitate the funding and implementation of development projects in the south by privately and publicly advocating the needs of the area. UNDP continued to lead the efforts of the United Nations system in working with the Lebanese authorities for the development and rehabilitation of the south.

III. Organizational matters

17. UNIFIL sought to maintain the ceasefire through mobile patrols, observation from fixed positions and close contact with the parties, the latter with a view to correcting violations, resolving incidents and preventing escalation. The United Nations Troop Supervision Organization (UNTSO), through Observer Group Lebanon, supported UNIFIL in the fulfilment of its mandate.

18. UNIFIL completed its reconfiguration and redeployment and has stabilized at a strength of about 2,000 troops for all ranks, as requested by the Security Council. The repatriation of the Fijian contingent was completed in December, while the Polish logistics and Ukrainian engineering battalions were reduced in October and November, respectively. The Ghanaian and Indian battalions took over sectors vacated by the departing Fijians. Observer Group Lebanon relocated its operations and personnel from Israel to Lebanon, establishing a rear headquarters in Tyre. UNIFIL operations were concentrated along the Blue Line, though the Force maintained a number of rear positions. A map showing the current deployment of UNIFIL is attached.

19. As of 31 December 2002, UNIFIL comprised 2,004 troops from France (204), Ghana (650), India (650), Ireland (7), Italy (53), Poland (240) and Ukraine (200). UNIFIL was assisted in its tasks by 51 military observers of the United Nations Truce Supervision Organization (UNTSO). In addition, UNIFIL employed 437 civilian staff, of whom 118 were recruited internationally and 319 locally. Major General Lalit Tewari continued as Force Commander. Mr. de Mistura continued to act as my Personal Representative for southern Lebanon.

20. I regret to report the deaths of a Ghanaian member of the Force due to natural causes and a Polish member of the Force due to an accident while on duty. Since the establishment of UNIFIL 242 members of the Force have lost their lives, 78 as a result of firings or bomb explosions, 103 as a result of accidents and 61 from other causes. Firing or mine explosions wounded a total of 344.

IV. Financial aspects

21. By its resolution 56/214 B of 27 June 2002, the General Assembly appropriated the amount of $117.1 million gross, equivalent to a monthly rate of $9.8 million gross, for the maintenance of the Force for the period from 1 July 2002 to 30 June 2003. Should the Council decide to extend the mandate of UNIFIL beyond 31 January 2003, as recommended in paragraph 28 below, the cost of its maintenance would be limited to the monthly rate approved by the General Assembly.

22. As at 30 November 2002, unpaid assessments to the special account for UNIFIL for the period since its inception to 30 November 2002 amounted to $93.9 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1,458.0 million.

V. Observations

23. The UNIFIL area of operation has been calm for the most part, with a substantial reduction in the number of incidents relative to my previous report. The hostility prevailing between the parties has been tempered by a willingness, bolstered by international pressure, to exercise restraint. Tension, however, continues to prevail. Over recent months this tension has been demonstrated most visibly by the unresolved Hasbani River matter, as well as the provocative cycle of Israeli air violations and Hizbollah anti-aircraft fire. The Shab'a farms area also remained a significant source of concern.

24. Each violation of the Blue Line and any provocation emanating from either side risks escalation of tensions and descent into confrontation. I once again emphasize the need for all parties concerned to respect fully the withdrawal line identified by the United Nations, as repeatedly called for by the Security Council, to cease all violations of this line and to refrain from any action that could serve to destabilize the situation on the ground.

25. The Government of Lebanon further demonstrated its capacity to exercise its authority effectively throughout southern Lebanon, strengthening administrative structures and extending the reach of the Joint Security Forces and the Lebanese Army. I reiterate the Security Council's call for the Government of Lebanon to continue these measures and to do its utmost to encourage a calm environment throughout the south.

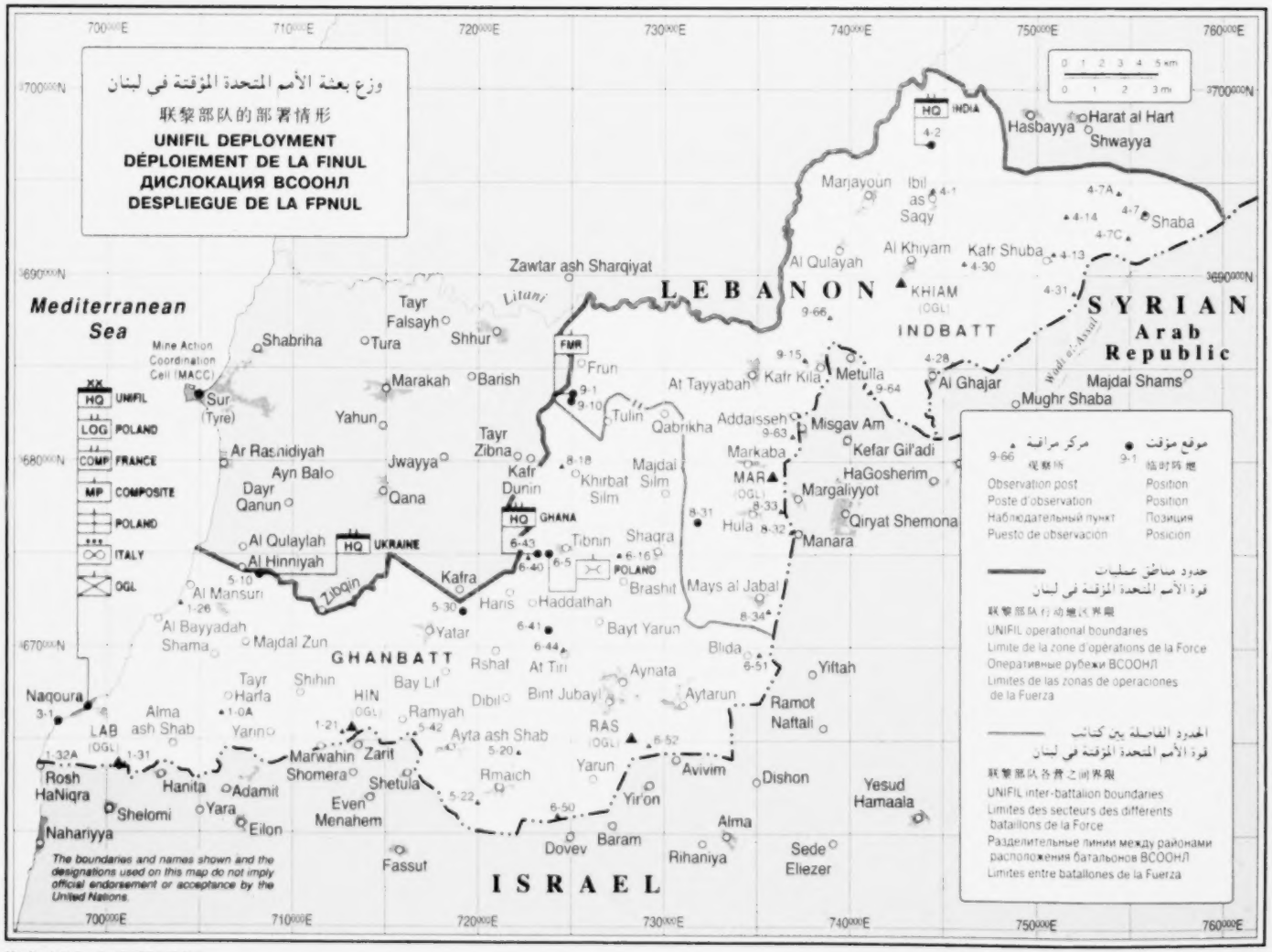
26. The implementation of my recommendations to the Council for reconfiguration of UNIFIL was completed at the end of 2002. At this stage, no further reduction to the current Force level of 2,000 is envisaged. UNIFIL will continue to discharge its mandate by observing, monitoring and reporting on developments in its area of operation, liaising with the parties to maintain calm. My Personal Representative will continue, in close consultation with the Special Coordinator, to lend the political and diplomatic support of the United Nations to the parties in order to establish lasting peace and security in southern Lebanon.

27. I note that the tensions along the Blue Line are in part a reflection of the highly volatile regional situation, and as such underscore the need to achieve a comprehensive, just and lasting peace in the Middle East, based on all the relevant resolutions of the Security Council, including resolutions 242 (1967), 338 (1973) and 1397 (2002).

28. In a letter dated 9 January 2003 (S/2003/36), the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations conveyed to me his Government's request that the Security Council extend the mandate of UNIFIL for a further period of six months. In the light of conditions prevailing in the area, I recommend that the Security Council extend the mandate of UNIFIL until 31 July 2003.

29. I must again draw attention to the serious shortfall in the funding of the Force. At present, unpaid assessments amount to $93.9 million. Eventually this represents money owed to the Member States contributing the troops that make up the Force. I appeal to all Member States to pay their assessments promptly and in full and to clear all remaining arrears. I should like to express my gratitude to the Governments contributing troops to the Force for their understanding and patience.

30. In conclusion, I wish to express my appreciation to Staffan de Mistura, my Personal Representative, and to pay tribute to Major General Lalit Mohan Tewari and the men and women of UNIFIL for the manner in which they have carried out their tasks. Their discipline and bearing have been of a high order, reflecting credit on themselves and the United Nations.



Map No. 4144 Rev. 6 UNITED NATIONS
January 2003

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Cartographic Section

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Security Council

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Report of the Secretary-General on the situation in Abkhazia, Georgia

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1427 (2002) of 29 July 2002, by which the Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 January 2003. It describes developments in Abkhazia, Georgia, since my report of 14 October 2002 (S/2002/1141).

2. Heidi Tagliavini, my Special Representative for Georgia, continued to head UNOMIG. Major General Kazi Ashfaq Ahmed (Bangladesh) continued to serve as the Chief Military Observer. The strength of UNOMIG on 1 January 2003 was 114 military observers (see annex).

II. Political process

3. UNOMIG continued its efforts to advance the process towards a comprehensive settlement of the Georgian-Abkhaz conflict through substantive negotiations on the future status of Abkhazia within the State of Georgia. My Special Representative continued consultations with both sides on ways to bring about such negotiations on the basis of the paper entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi" and its transmittal letter. Additional impetus to these efforts was given by the Under-Secretary-General for Peacekeeping Operations, who visited, together with Ms. Tagliavini, Tbilisi and Sukhumi in mid-November and held talks with the leadership of the two parties. They emphasized, especially to the Abkhaz side, that the framework set out in the paper — territorial integrity for Georgia, wide autonomy for Abkhazia and international guarantees — provided enough room to explore how the legitimate interest of both sides could be accommodated in a final settlement. The Russian Federation, on 14 November, made another attempt to arrange a meeting in Moscow of representatives of the Group of Friends and the United Nations with the Abkhaz side to exchange views on the settlement of the Georgian-Abkhaz conflict and the principles underlying the paper on competences. However, because of differing views on the modalities of the discussion, the meeting did not take place. President Eduard Shevardnadze, in his address to the Parliament of Georgia on 11 October, proposed to hold an international conference on Abkhazia to be chaired jointly by

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the United States of America and the Russian Federation, with the participation of Turkey and Ukraine.

4. Despite these efforts it was not possible to overcome the Abkhaz refusal to engage in substantive discussions on the paper on competences since the Abkhaz side continued to assert its unilateral declaration of independence of 1999 (see S/1999/1087, para. 7). The Abkhaz also cite the armed Georgian presence in the Kodori Valley as a reason for not entering into negotiations. The Georgian side, for its part, has been deeply upset by a campaign by the Abkhaz to acquire Russian citizenship and to promote closer ties to the Russian Federation, as exemplified by the reopening of the railroad between Sukhumi and Sochi on 25 December.

5. In her efforts, Ms. Tagliavini continued to rely on the support of the Group of Friends. Following her visits to Berlin, Moscow and Washington, she completed her round of consultations in the capitals by visiting London and Paris. The Under-Secretary-General for Peacekeeping Operations also stayed in close contact with special envoys of the Friends, including during his visit in mid-November to Moscow, where he met with President Vladimir Putin's special representative for the Georgian-Abkhaz conflict, First Deputy Foreign Minister Valery Loshchinin. To follow up on those discussions, I am planning to convene in the near future an informal high-level meeting of the Friends to discuss possible ways forward in the Georgian-Abkhaz peace process. I met with Ms. Tagliavini on 10 December in New York and discussed with her developments relevant to the UNOMIG mandate.

6. On the ground, the Mission continued its efforts to promote dialogue between the sides within the framework of the Coordinating Council. On 14 November, Working Group III of the Council (on socio-economic issues) met in Sukhumi under the chairmanship of the United Nations Development Programme resident representative, with the assistance of the Georgian-Abkhaz Bilateral Coordination Commission. The sides discussed the reinforcement of the Inguri riverbanks, restoration and protection of Abkhaz cultural monuments and the issue of the language of instruction in schools in the Gali district. However, it was not possible to convene the Coordinating Council itself, which has not met since January 2001. One issue that should be taken up by the Council is the possibility of convening in 2003 a fourth Georgian-Abkhaz conference on confidence-building measures.

7. On 29 November, Anri Jergenia was replaced by Gennadi Gagulia as the Abkhaz de facto Prime Minister. Mr. Gagulia had served in this capacity already between 1995 and 1998, and in the meantime he was the Chair of the Abkhaz Chamber of Commerce and Industry.

III. Operational activities

8. UNOMIG continued to perform its observation tasks by conducting daily ground patrols in the Gali and Zugdidi sectors and weekly or, in winter, fortnightly joint patrols with the Commonwealth of Independent States (CIS) peacekeeping force in the Kodori Valley. In late October, the Mission's Board of Inquiry finalized its investigation into the shooting down of a UNOMIG helicopter on 8 October 2001. While UNOMIG has instituted additional safeguards for helicopter flights, helicopter patrolling remained suspended and only administrative flights were carried out along flight routes over the Black Sea. On 28 September, the Georgian side asked for access to the crash site in connection with its criminal investigation of

the incident; the Abkhaz side declined. In mid-November, the Russian Federation indicated that it had evidence (in the form of a videotape) relating to the shooting down of the helicopter, which it would make available to the United Nations.

Kodori Valley

9. With the onset of winter, the situation in the Kodori Valley has stabilized, although tension remained. The Abkhaz side maintained that, under the Moscow Agreement (S/24523, annex), no armed personnel at all were allowed in the valley, whereas the Georgian side argued that only regular military forces were prohibited, but that armed border guards and local National Guard reservists could be present. Between October and mid-December, UNOMIG conducted eight patrols jointly with the CIS peacekeeping force in the Kodori Valley. No changes in the armed presence were noted. On 29 November the patrol observed a one-day local home defence exercise, in which about 80 border guards and local National Guard reservists practised guarding buildings in the upper Kodori Valley. UNOMIG patrols continued to rely on written guarantees for safe passage and security escorts from both the Georgian and Abkhaz sides.

10. During a patrol from 14 to 16 October, a resident of the upper Kodori Valley was seriously injured by a landmine; he was evacuated with the assistance of the CIS peacekeeping force. On 8 November, an accompanying Abkhaz officer denied the patrol access to a village in the lower Kodori Valley. The patrol issued a violation report, as it had had regular access to this village in the past and no reason for the denial had been given. UNOMIG has discussed the issue with the relevant Abkhaz authorities, who cited security concerns for its refusal, and will ask for access to the area again on one of the next patrols.

Gali and Zugdidi sectors

11. The situation in the Gali sector was marked by a number of violent incidents in the city of Gali and the lower Gali area. The number of robberies, kidnappings and killings increased during November and December. On 30 November, a car with two Abkhaz and one Georgian was shot at on the main road near Achigvara (in the upper Gali region); all three were killed. On 6 December, in Senardo Bedia (10 kilometres north-west of Gali city), some 15 to 20 armed and masked men abducted a local resident and shot him dead. On 13 December, four civilians were ambushed on the main road near Gali city. Two were killed and the others wounded. There were also three explosions: two parcel bombs, resulting in an Abkhaz security service official losing both hands and suffering serious eye damage on 17 October, and an explosion causing extensive damage to the local administration building in Gali city on 29 November. In addition, two landmines were found in the Gali sector and were neutralized by the CIS peacekeeping force.

12. The Abkhaz militia (police) conducted two search-and-arrest operations in the Gali security zone. On 5 November, a force of some 20 militiamen detained 15 people in the lower Gali area; they were released after four days. In a larger operation, between 25 and 27 December, involving approximately 150 militiamen, 40 persons were detained, 36 of whom were subsequently released; the remaining 4 are still being held. UNOMIG used its good offices to defuse the tensions and alleviate the fears of the local population created by these operations.

13. In follow-up to the November 2000 joint assessment mission (see S/2001/59, annex II) and as requested by the Coordinating Council's Working Group II (on internally displaced persons and refugees; see S/2002/1141, para. 18), a security assessment was undertaken in the Gali and Zugdidi sectors. The assessment team consisted of UNOMIG personnel, two officers from the Civilian Police Division of the Department of Peacekeeping Operations and two police monitors with experience in other United Nations missions. The assessment was carried out with the consent and cooperation of the authorities on both sides of the ceasefire line. Preliminary findings identified specific gaps in the organization, training and equipment of the local law enforcement organs. This, together with the absence of a political agreement on the return of refugees, constitutes a deterrent for persons wishing to exercise their right of return and aggravates the already difficult situation of those who have already returned to the Gali area. Enhancement of the rule of law and the administration of justice in the region so as to provide a safe and secure environment for returnees and internally displaced persons is urgently needed. UNOMIG will study the findings and recommendations of the security assessment upon completion of the team's full report and will follow up in consultation with the two sides.

14. During the period under review, the situation in the Zugdidi sector was calm. Criminal activity was relatively low, with only two killings and five robberies reported by the local authorities. Several peaceful demonstrations took place, mostly by internally displaced persons in protest of their living conditions. The local authorities took some steps to improve the situation, in particular the supply of electricity. Since 6 January, a group of internally displaced persons has been blocking the movement of UNOMIG and the CIS peacekeeping force at the main bridge over the Inguri River on the Georgian side. They protest, among other things, the extension of the CIS peacekeeping mandate, the resumption of the rail link between Sochi in the Russian Federation and Sukhumi and the continuing granting of Russian citizenship and Russian passports to residents of Abkhazia.

15. On 19 November, UNOMIG observed a naval firing exercise conducted by the Georgian military at the Kulevi training grounds, which partly overlap with the restricted weapons zone but which is used by Georgia as its traditional training area. During the exercise, two SU-25 aircraft and a number of heavy weapons were seen operating within the restricted weapons zone in violation of the 1992 Moscow Agreement. Both sides have committed similar violations in the past. UNOMIG intends to address this issue within the Coordinating Council mechanism. On 19 November, a Georgian coastal patrol intercepted a Turkish vessel fishing off the coast near Pitsunda. UNOMIG helped to defuse the tension between the parties, as the Abkhaz accused Georgia of attacking the vessel in international waters and undermining economic cooperation between Abkhazia and other countries in the region.

16. The joint fact-finding group, which brings together the two sides, UNOMIG and the CIS peacekeeping force, continued to investigate violent incidents, with all parties regularly attending scheduled weekly meetings and responding promptly to incidents. However, the lack of continuity of evidence and the slow completion of investigations continued to be a problem. Five cases are currently under investigation.

IV. Cooperation with the collective peacekeeping forces of the Commonwealth of Independent States

17. UNOMIG and the CIS peacekeeping force continued to work together closely, notably during the joint patrols to the Kodori Valley. A joint evacuation exercise was conducted to rehearse the procedures in case of a sudden emergency. Regular staff meetings held at the working level complement the frequent exchanges between the Chief Military Observer and the Commander of the CIS peacekeeping force.

18. On 20 and 21 December, Georgia and the Russian Federation held their fourth round of consultations on possible modifications to the mandate of the CIS peacekeeping force and to the status of the Gali security zone. At the invitation of both parties and CIS, a representative of UNOMIG attended as an observer. At this time, no agreement on the extension of the mandate of the CIS peacekeeping force, which ended on 31 December 2002, has been reached. Meanwhile, the force continued its regular activities.

V. Humanitarian situation and human rights

19. International humanitarian agencies and non-governmental organizations (NGOs) have continued to carry out their essential programmes targeting the acute food and medical needs of the most vulnerable segments of the population and to conduct small-scale rehabilitation projects, mine clearance and mine awareness training. Their activities have continued to be hampered by restrictions on border crossings between Abkhazia, Georgia, and the Russian Federation at the Psou River (see S/2001/401, para. 28). The work of the humanitarian agencies and NGOs also took place against the background of recurrent security and crime-related concerns. On 4 November, a vehicle of a British demining NGO was hijacked and stolen in the Koki area, but was subsequently recovered. On 24 December, four armed and masked men raided the residence of a foreign NGO in Sukhumi.

20. The United Nations High Commissioner for Refugees (UNHCR), in cooperation with local authorities and beneficiary communities, completed a basic school rehabilitation project, with only minor reconstruction work to be finished by local communities in some locations in January (see also S/2002/1141, para. 22). Vulnerable elderly persons in Sukhumi continue to benefit from a modest UNHCR assistance programme through a local NGO.

21. The European Community Humanitarian Office (ECHO) announced that €1.3 million would be provided to support humanitarian programming on both sides of the ceasefire line. ECHO support is targeted to the elderly and most destitute and will be used for dry food distributions, food canteens and income-generating activities. Two NGOs were able to resume their humanitarian activities in Abkhazia, Georgia, as a result of increased funding from ECHO and Switzerland. In December, the United Nations Development Fund for Women opened an office in Sukhumi to support its regional project entitled "Women for conflict prevention, conflict resolution and peace-building in the southern Caucasus". The first meeting was held on 20 December in Gali with approximately 30 representatives from Georgian and Abkhaz NGOs, local authorities, the CIS peacekeeping force and UNOMIG. The Academy for Educational Development, an American NGO, has also opened an

office in Sukhumi to support its young leaders programme for Georgian and Abkhaz youth.

22. UNOMIG itself continued to repair roads and bridges to enable its patrols to move freely and safely in its area of responsibility. The Mission also began implementing a series of small-scale quick-impact projects in its area of operations to alleviate the plight of internally displaced persons and returnees by restoring electricity supply in villages, repairing roofs on shelters and refurbishing a village hospital.

23. The United Nations Human Rights Office in Abkhazia, Georgia, continued to monitor practices of the de facto law enforcement agencies during pre-trial detention and criminal trials and to provide advisory services to the local population, mostly regarding ownership and property rights. It also participated in weekly quadripartite meetings to help address concrete issues of concern to returnees and internally displaced persons (see S/2002/1141, para. 23).

24. The absence of the rule of law and weak law enforcement structures remain an important cause of many human rights violations in the zone of conflict, and in the security zone in particular. Local residents in Gali continued to be denied access to education in their mother tongue. A number of cases of abuse of power and arbitrary detention by the de facto law enforcement agencies were reported during the search-and-arrest operations in the Gali district in November and December (see para. 12 above).

VI. Support issues

25. UNOMIG postponed the positioning of a third helicopter (approved in the 2002-2003 budget) until a decision on the resumption of helicopter patrolling is taken. The Mission has made further progress in improving its communication system by linking Senaki airport, the main Sukhumi headquarters repeater site and the CIS peacekeeping force headquarters with a high-capacity digital microwave system and installing 150 short-range and 50 long-range mobile telephones in the Sukhumi headquarters.

VII. Financial aspects

26. By its resolution 56/503 of 27 June 2002, the General Assembly appropriated an amount of $33,143,700, equivalent to $2,761,975 per month, for UNOMIG for the period from 1 July 2002 to 30 June 2003. The assessment of those amounts is subject to a decision of the Security Council regarding the mandate of the Mission.

27. Should the Security Council decide to extend the mandate of UNOMIG beyond 31 January 2003, the cost of maintaining the Mission until 30 June would be limited to the monthly amounts approved by the General Assembly.

28. As at 30 November 2002, unpaid assessed contributions to the UNOMIG Special Account amounted to $11.0 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to $1.5 billion.

VIII. Observations

29. When I reported to the Security Council last January, there were grounds for optimism. My Special Representative had finalized a paper, entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi", which provided the conceptual basis on which negotiations on a comprehensive settlement of the conflict could take place, and had obtained the full support of all members of the Group of Friends for this paper and the letter transmitting it to the parties. The Council also supported the paper and the letter as positive elements for launching the peace process between the sides. Now, after one year of strenuous efforts by my Special Representative and the Group of Friends, the two sides have not moved much closer to the start of negotiations. The tone of the parties has hardened, there is a deep mistrust between them and they show little sign of willingness to make the substantive compromises necessary for a meaningful peace process. The Abkhaz side, in particular, refuses to even enter into discussions on the principles on which negotiations should be based. In order for the conflict to be resolved rather than contained, the present impasse needs to be overcome. For this purpose, I intend to invite senior representatives of the Group of Friends to an informal brainstorming session on the way ahead.

30. The resumption of Coordinating Council meetings is essential for further progress to be made in the Georgian-Abkhaz peace process on the ground and, in particular to turn the recommendations of the working groups into firm commitments. A prompt convening of the next session of the Council would also make it possible for a timely decision to be made on a fourth conference on confidence-building and for preparations to begin.

31. The return of internally displaced persons to their homes in safe and secure conditions remains a burning issue. Regrettably, no progress has been made in the implementation of the 1994 quadripartite agreement on voluntary return of refugees and displaced persons (S/1994/397, annex II). The report of the joint assessment mission to the Gali district of November 2000 (S/2001/59, annex II) included recommendations for improving the situation, which should be implemented. On the specific issue of strengthening the law enforcement institutions, an assessment mission has been conducted, and I welcome the full cooperation of the two sides as a positive sign of their willingness to improve the situation for returnees and internally displaced persons.

32. I cannot but emphasize once again that both the Georgian and Abkaz sides bear responsibility for the safety of UNOMIG civilian and military personnel, as well as for safeguarding their freedom of movement at all times. They must also bring the perpetrators of crimes against United Nations personnel to justice.

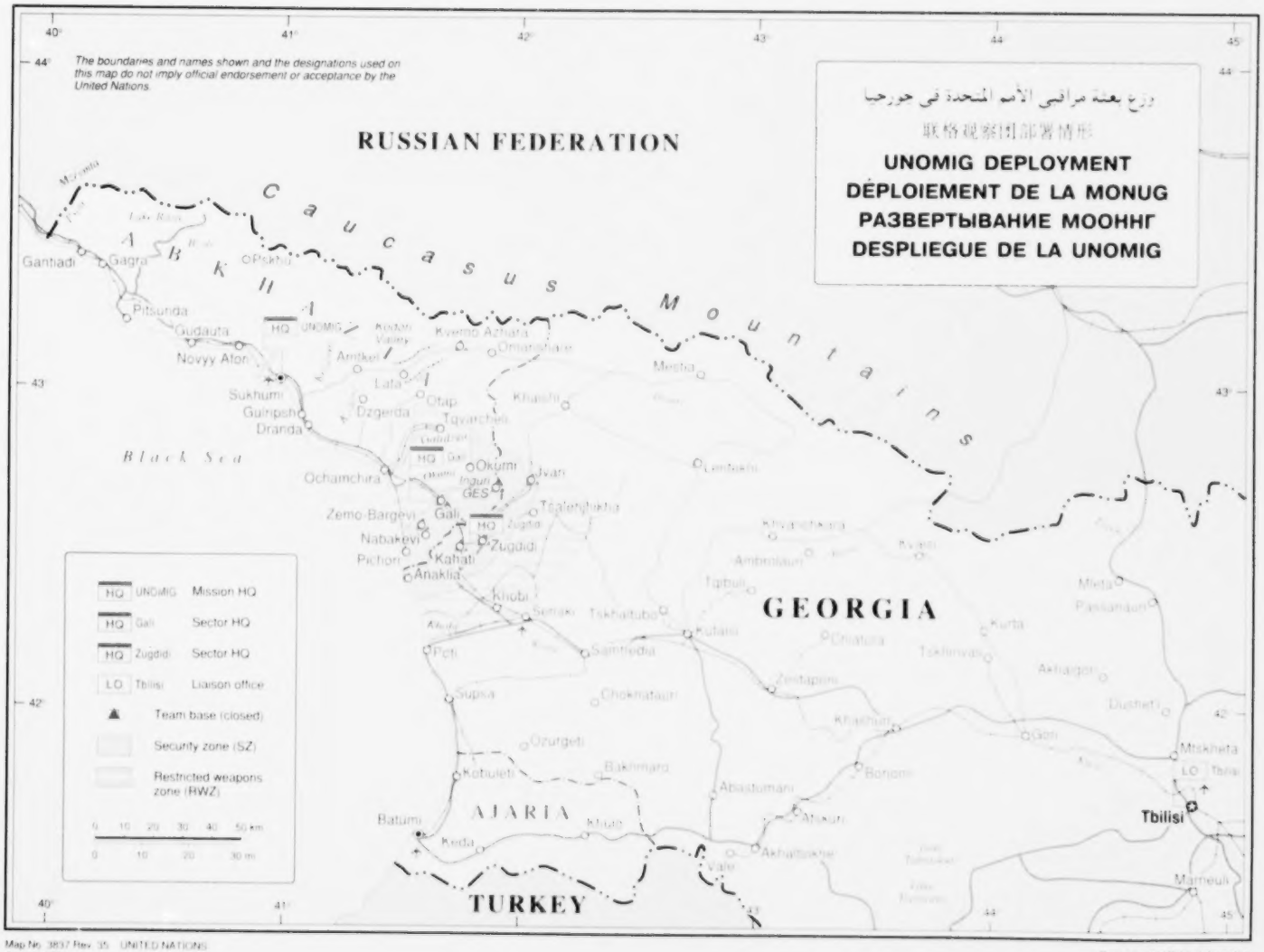
33. The presence of UNOMIG remains essential for maintaining stability in the conflict zone and for pursuing the process towards a political settlement of the conflict. I therefore recommend a further extension of the mandate of UNOMIG for six months, until 31 July 2003.

34. In conclusion, I would like to express appreciation to the Special Representative, Ms. Tagliavini, her Deputy, Roza Otunbayeva, and the Chief Military Observer, Major General Ashfaq, for their leadership of this challenging mission. I commend the men and women of UNOMIG for their commitment and courage in carrying out their difficult and often dangerous tasks.

Annex

Countries providing military observers (as at 1 January 2003)

Country	*Military observers*
Albania	3
Austria	2
Bangladesh	7
Czech Republic	5
Denmark	5
Egypt	3
France	3
Germany	11
Greece	5
Hungary	7
Indonesia	4
Jordan	7
Pakistan	9
Poland	4
Republic of Korea	7
Russian Federation	3
Sweden	3
Switzerland	4
Turkey	5
Ukraine	5
United Kingdom	7
United States	2
Uruguay	3
Total	**114**



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